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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,968	10/30/2003	Eric Lawrence Barsness	ROC920030021US1	8987

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EXAMINER
OMOSEWO, OLUBUSOLA

ART UNIT	PAPER NUMBER
2168	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	**Applicant(s)**
Office Action Summary	10/697,968	BARSNESS ET AL.
	Examiner	**Art Unit**	
	OLUBUSOLA ONI	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15,18-20,23,26 and 27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15, 18-20, 23 and 26-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communication: Application, filed on

07/19/2006.

2.   Claims 16-17, 21-22 and 24-25 have been cancelled.

Response To Arguments

3.   Applicant's arguments with respect to claims1-15, 18-20, 23 and 26-27

have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under

section 122(b), by another filed in the United States before the invention by the

applicant for patent or (2) a patent granted on an application for patent by

another filed in the United States before the invention by the applicant for patent,

except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application

filed in the United States only if the international application designated the

United States and was published under Article 21(2) of such treaty in the English

language.

5.   Claims 1-15, 18-20, 23 and 26-27 are rejected under 35 U.S.C. 102(e) as

being anticipated by Graves et al. (PAT No U.S 6,785,675).

For claim 1, Graves teaches "at least one processor, a memory coupled to the at

least one processor"(Col. 1, lines 12-55); and

"a database query processor residing in the memory and executed by the at least

one processor the database query processor processing a first query to generate

a first result set by interrogating a database and, if a second query may be

satisfied by the first result set, generating a second result set from the first result

set without caching the first result set and without interrogating the database for

the second query"([Col.1, lines 12-55, Col. 4,lines 17-55], wherein in Graves's

teachings a first and second query is received and they are been grouped

together to form on single aggregated query. The aggregated query is sent to the

database management system and a query result is been retrieved. However,

within the result set is a result that also satisfies the second query without

interrogating the database again/separately or caching the query result, thus

teachings are synonymous.

For claim 2, Graves teaches "wherein the database query processor processes the first query and while processing the first query evaluates at least one other query that is received during the processing of the first query to determine whether the at least one other query is satisfied by the first result set, wherein the database query processor returns the first result set to the first query and uses the first result set to generate at least one other result set for any of the at least one other query that is satisfied by the first result set"([Col. 4, lines 17-55 & fig. 3] wherein while processing the first request (receiving request 1 and call GetAccountBalance method with parameter 111) the 2 other requests which are of the same class are received and are mapped to a group to form 1 single query. A result set is received which satisfies the first query and the other queries).

For claim 3, Graves teaches "wherein the database query processor delays processing a plurality of received queries, groups compatible received queries together, generates a new query for each group that will produce a result set that will satisfy all queries in the group, processes each new query, and generates from the result set of each new query at least one other result set for queries in the group corresponding to the new query"([Col. 3 lines 20-65 and Col. 4, lines 17-55 & fig. 3] wherein Graves's teachings uses a threshold; time period (time delay). However, queries from a requesters are received and are been grouped to form an aggregated query, which is later sent to the database management

system, a result set is received and the results are been sent to the requesters within each group).

For claim 4, Graves teaches "at least one processor, a memory coupled to the at least one processor"(Col. 1, lines 12-55); and "a database query processor residing in the memory and executed by the at least one processor, the database query processor processing a first query to generate a first result set, and while processing the first query evaluating at least one other query that is received during the processing of the first query to determine whether the at least one other query is satisfied by the first result set, the database query processor returning the first result set to the first query and uses the first result set to generate at least one other result set for any of the at least one other query that is satisfied by the first result set" ([Col. 4, lines 17-55 & fig. 3] wherein while processing the first request (receiving request 1 and call GetAccountBalance method with parameter 111) the 2 other requests which are of the same class are received and are mapped to a group to form 1 single query. A result set is received which satisfies the first query and the other queries).

For claim 5, Graves teaches "at least one processor, a memory coupled to the at least one processor"(Col. 1, lines 12-55); and "a database query processor residing in the memory and executed by the at least one processor, the database query processor delaying processing a plurality of received queries, grouping

compatible received queries together generating a new query for each group that will produce a result set that will satisfy all queries in the group, processing each new query, and generating from the result set of each new query at least one other result set for queries in the group corresponding to the new query"([Col. 3 lines 20-65 and Col. 4, lines 17-55 & fig. 3] wherein Graves's teachings uses a threshold; time period (time delay). However, queries from a requesters are received and are been grouped to form an aggregated query, which is later sent to the database management system, a result set is received and the results are been sent to the requesters within each group).

For claim 6, Graves teaches "wherein the database query processor delays processing the plurality of received queries for a predetermined time period" (Col. 3, lines 36-55, Col.4, lines 32-35).

For claim 7, Graves teaches "wherein the database query processor delays processing the plurality of received queries until a predetermined number of the plurality of queries has been received"(Col. 3, lines 36-55, Col. 4, lines 32-35).

For claim 8, Graves, teaches "processing a first query to generate a first result set receiving a second query; and if the second-query may be satisfied by the first result set, generating a second result set from the first result set without caching the first result set and without interrogating the database" ([Col.1, lines 12-55, Col. 4,lines 17-55], wherein in Graves's teachings a first and second

query is received and they are been grouped together to form on single

aggregated query. The aggregated query is sent to the database management

system and a query result is been retrieved. However, within the result set is a

result that also satisfies the second query without interrogating the database

again/separately or caching the query result, thus teachings are synonymous.

As per claims 9-10, these claims are rejected on grounds corresponding to the

arguments given above for rejecting claims 2-3 and are similarly rejected.

As per claims 11-12, these claims are rejected on grounds corresponding to the

arguments given above for rejecting claims 2-3 and are similarly rejected.

As per claims 13-14, these claims are rejected on grounds corresponding to the

arguments given above for rejecting claims 6-7 and are similarly rejected.

As per claims 15 this claim is rejected on grounds corresponding to the

arguments given above for rejecting claim 1 and is similarly rejected.

As per claims 18-19, these claims are rejected on grounds corresponding to the

arguments given above for rejecting claims 2-3 and are similarly rejected.

As per claims 20 and 23, these claims are rejected on grounds corresponding to

the arguments given above for rejecting claims 2 and 3 and are similarly rejected.

As per claims 26-27, these claims are rejected on grounds corresponding to the

arguments given above for rejecting claims 6-7 and are similarly rejected.

<u>CONCLUSION</u>

6.   The following prior art cited on the PTO-892 form, not relied upon, is

considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to OLUBUSOLA ONI whose telephone number is

571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, TIM VO can be reached on 571-272-3642. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-

8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

OLUBUSOLA ONI   KBP

Examiner

Art Unit 2168

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100